

Education Legislative Update
3.22.2017

School Choice

There are two main components of “school choice” legislation: “Croydon” bills and voucher bills. The Croydon bills (HB 557 and SB 8) provide school boards with the ability to contract with private schools for any grades not offered by the local public district. The voucher bills (SB 193 and HB 647) would provide state adequacy funds to parents to use for private or home school.

1. HB 557 – Passed House. With Senate Education Committee.

This bill as amended allows a school district to assign a child to another public school in another school district or to a nonsectarian private school either approved for attendance or accredited by an independent accrediting agency recognized by the department if there is no public school for the child’s grade in the child’s resident district. The bill also allows the resident district school board to make a tuition contract with the receiving public or nonsectarian school.

2. SB 8 – Passed Senate. With House Education Committee (public hearing was on 3/15).

This bill allows a school district to assign a child to another public school in another school district or to an approved private school if there is no public school for the child's grade in the child's resident district. The bill also allows a school board to make a contract with a private school to provide for the education of a child who resides in a district which does not have a public school at the child's grade level.

3. SB 193 – Passed Senate. Will go to House Education Committee.

SB 193 creates a statewide and universal voucher program. Any student between the ages of 5-20 who has not graduated from high school is eligible to receive a voucher for 90% of the per-pupil adequacy to use for private school or home school. This would be among the most expansive voucher programs in the country and a conservative estimate of the cost to the state is upwards of \$70 million a year just to provide vouchers for students currently enrolled in private school and homeschool. **Senate Vote 14-9.**

4. HB 647 – House Finance recommends Inexpedient to Legislate. Full House will vote on Thursday (3/23).

Under this proposal the parent of an eligible student may receive a grant from a scholarship organization if the parent signs a contract with the scholarship organization. The parent agrees to provide an education in science, math, language, government, history, reading, writing, spelling, the history of the NH and US Constitutions and appreciation of art and music. The parent also agrees that they will provide the services required because the child is receiving the differentiated aid. The scholarship organization then notifies the Commissioner of Education that the parents have signed an agreement and the Commissioner shall transfer to the scholarship organization 90 percent of the per pupil adequate education grant amount plus any differentiated aid which would go to the municipality in which the student resides for deposit into the eligible student’s account. The scholarship organization also shall receive 5 percent of the adequate education grant and 5 percent of the differentiated aid for administrative expenses. There were several problems with this bill that needed to be fixed that were not related to the financial impact. **House Finance Committee Vote 22-4.**

School Funding

There are no longer any bills currently under consideration that would change the state's education funding formula. There are bills to study the formula and recommend changes in November 2018. Additionally, the budget process may include 3 significant education funding issues:

- a. Funding for full-day kindergarten
- b. Increasing funding for Charter Schools
- c. Increasing school building aid

Here are few other bills relative to education funding.

1. HB 354 – House Finance recommends Ought to Pass. Full House will vote on Thursday (3/23).

The education adequacy laws limited the increase in adequacy aid that a town could receive irrespective of the town's growth in enrollment (i.e., there was a "cap" on year-over-year growth in adequacy). A lawsuit brought by Dover led to the cap being ruled unconstitutional and resulted in a payment by the state for the adequacy payments for students who were not covered under the stabilization limit. That decision also mentioned that there were additional districts that were equally qualified for the makeup payments. This legislation takes care of those 24 districts with a total payment of \$9,065,044. **Vote 26-0.**

2. HB 356 – House Finance recommends Ought to Pass. Bill is on the consent calendar for vote by the Full House on Thursday (3/23).

The education adequacy laws set the formula for how much the state distributes for each public school student and also differentiated aid (free and reduced meals, English language learner, special education and third grade reading). The formula has seen many changes throughout its history, and this bill establishes a committee to analyze the success of the current law and propose changes. **Vote 26-0.**

Limiting State Board of Education / Department of Education / Schools Authority

There are several bills going through the legislature that in some form or fashion seek to restrict the authority of the State Board of Education, the Department of Education, and/or local public schools. Two of the bills (SB 44 and HB 304) would not have a significant impact as the more or less codify existing practices or reaffirm existing laws. SB 43 would restrict non-academic surveys in schools and could complicate schools' efforts to understand issues that students may be facing.

1. SB 44 – Passed Senate. With House Education Committee (public hearing was on 3/15).

This bill would prohibit the State Board of Education and the Department of Education from requiring schools or school districts to implement the common core state standards. This would have little practical impact as neither the State Board of Education nor the Department of Education currently has such authority—districts develop and adopt their own standards, working with the State Board and Department. **Vote 14-9.**

2. HB 304 – Passed House. With Senate Education Committee.

This bill is similar to SB 44 in that it prohibits any requirement that schools or districts implement common core. This bill goes further, however, and stipulates that a legislative

oversight committee has to review and provide recommendations on any proposal to amend state standards or propose new state standards. **Voice Vote in the House.**

3. SB 43 – Passed Senate. With House Education Committee (public hearing was on 3/15).

This bill would require that schools obtain written consent of a parent or legal guardian (unless the student is an adult or an emancipated minor) prior to asking students to participate in a non-academic survey or questionnaire. There is an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention. Non-academic survey or questionnaire means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics. **Vote 13-10.**